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9149453281 TO 915712738300 P.01

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AUG 01 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Binnig et al.

Docket No.: CH920020028US1

Serial No.: 10/526,052

Group Art Unit: Not Yet Assigned

Filed: February 28, 2005

Confirmation No.: 1146

International Application No.: PCT/IB03/03749

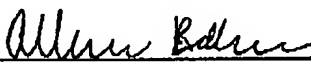
International Filing Date: August 22, 2003

For: TRANSDUCERS

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
(571) 273-8300**CERTIFICATION OF FACSIMILE TRANSMISSION  
PURSUANT TO 37 CFR 1.8**

I hereby certify that the following papers are being facsimile transmitted under 37 CFR Rule 1.6(d) to the U.S. Patent and Trademark Office ((571-273-8300)) on August 1, 2005: Response to Notification of Missing Requirements Under 35 U.S.C. 3.71 in the United States designated/elected office (DO/EO/US), Notification of Missing Requirements Under 35 U.S.C. 3.71 in the United States designated/elected office (DO/EO/US), signed Declaration and Power of Attorney (3) pages and Change of Correspondence Address (total 8 pages, including the Certification of Facsimile Transmission).

Dated: August 1, 2005

  
Allison Berkman  
Telephone: 914-945-3862**PLEASE FAX CONFIRMATION TO: Fax: 914-945-3281**IBM Corporation  
Intellectual Property Law Dept.  
P.O. Box 218  
Yorktown Heights, New York 10598

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
3.71 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

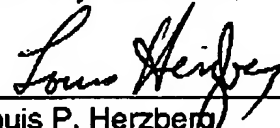
Sir:

Submitted herewith is a Declaration, properly signed by the Applicants referencing application Serial No. 10/526,052 as originally filed on February 28, 2005. Accordingly, the above-identified application is now complete. Please charge Deposit Account No. 50-0510 in the amount of \$130.00 for the surcharge for providing the oath or declaration later than 30 months from the priority date as set forth in 37 CFR 1.492(e).

A copy of the "Notification of Missing Requirements Under 35 U.S.C. 3.71 in the United States Designated/Elected Office (DO/EO/US)", mailing date July 21, 2005, is also attached as per your instructions.

Respectfully submitted,

By

  
Louis P. Herzberg  
(Reg. 41,500)  
914-945-2885

Dated: August 1, 2005

IBM Corporation  
Intellectual Property Law  
P.O. Box 218  
Yorktown Heights, N.Y. 10598  
Fax: 914-945-3281

AUG 01 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22315-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,052	Gerd K Binnig	CH920020028US1

INTERNATIONAL APPLICATION NO.
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PCT/IB03/03749

LA. FILING DATE	PRIORITY DATE
08/22/2003	08/29/2002

 LPH  
 Louis P herzberg  
 Thomas J Watson Research Center  
 P O Box 218  
 Yorktown Heights, NY 10598

CONFIRMATION NO. 1146

371 FORMALITIES LETTER



\*OC000000016573715\*

Date Mailed: 07/21/2005

Due 9-21-05

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/28/2005
- Copy of the International Search Report filed on 02/28/2005
- Copy of IPE Report filed on 02/28/2005
- Preliminary Amendments filed on 02/28/2005
- Oath or Declaration filed on 02/28/2005
- Request for Immediate Examination filed on 02/28/2005
- U.S. Basic National Fees filed on 02/28/2005
- Priority Documents filed on 02/28/2005

 10/1  
 2005 JUL 25 11:10:13  
 LPH:DPF

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/526,052	PCT/IB03/03749	CH920020028US1

FORM PCT/DO/EO/906 (371 Formalities Notice)